

AN ORDINANCE

BY COUNCILMEMBER ANNE FAUVER

04-0 -0322

AN ORDINANCE TO AMEND CHAPTER 10, ARTICLE I, SECTION 10-1 OF THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA SO AS TO AMEND THE DEFINITION OF "NIGHTCLUB" CONTAINED WITHIN SAID SECTION; TO ADD A DEFINITION FOR "BAR" AS A NEW CATEGORY OF LICENSED ESTABLISHMENT FOR CONSUMPTION ON PREMISES; TO AMEND CHAPTER 10 OF THE CODE OF ORDINANCES SO AS TO PROVIDE FOR PAYMENT OF FEES BY CERTIFIED FUNDS; TO AMEND SECTION 10-48 TO PRESCRIBE A NEW PROCESS FOR APPLYING FOR A LICENSE TO SELL ALCOHOLIC BEVERAGES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in regulating, through the lawful exercise of its police powers, the sale of alcoholic beverages in order to provide for the safety and welfare of the citizens of the City of Atlanta and its visitors; and

WHEREAS, the City Council adopted Ordinance Number 03-O-2149 to provide that licenses for the sale of alcoholic beverages be granted during the calendar year 2004 effective only for the period of January 1, 2004 through March 31, 2004 to allow for a comprehensive review of the City's alcohol licensing code; and

WHEREAS, the Public Safety/Legal Administration Committee of the Atlanta City Council formed a task force, known as the Alcohol Technical Advisory Group (ATAG), to undertake the review of the alcohol licensing code; and

WHEREAS, ATAG has completed a review of several areas of the alcohol licensing code and recommends approval of this ordinance; and

WHEREAS, the City of Atlanta currently provides several categories of licenses for sale of alcoholic beverages for consumption on premises, including restaurant and nightclub; and

WHEREAS, in order to sell alcohol on Sundays, pursuant to O.C.G.A. § 3-3-7 a "restaurant" must derive at least 50 percent of its total annual gross food and beverage sales from the sale of prepared meals or food; and

WHEREAS, the definition of "nightclub" requires minimum seating capacity of 100 persons and requires that the establishment provide "a band or other professional entertainment a minimum of 20 days per month, each and every month;" and

WHEREAS, many licensees do not wish to operate a licensed establishment with professional entertainment but do not have greater than 50% of their sales in food; and

WHEREAS, the City wishes to amend the definition of “nightclub” to address these concerns; and

WHEREAS, the City further wishes to add an additional category of licensed establishment to be called a “Bar” that is smaller than a nightclub but does not meet the 50% food sales requirement of a restaurant; and

WHEREAS, many neighborhoods, applicants, members of the Department of Planning and Neighborhood Conservation, members of the Licenses and Permits Unit of the Atlanta Police Department and members of the License Review Board do not believe that the application process set forth in the Code at Section 10-48 adequately addresses their needs or functions efficiently in reviewing applications for alcoholic beverage licenses; and

WHEREAS, under the current process for granting alcohol licenses, on many occasions applicants for liquor licenses appear before Neighborhood Planning Units (NPUs) long before they have actually filed an application for a license; and

WHEREAS, neighborhood representatives often address questions to the applicant for a liquor license at an NPU meeting that would have been answered in the application filed with the Licenses and Permits Unit had such application been filed; and

WHEREAS, many NPUs were desirous of receiving the actual application, or a portion thereof, filed with Licenses and Permits Unit, and of having the applicant come before the NPU already having filed that application; and

WHEREAS, there have been instances in which an alcoholic beverages license was issued or renewed and the licensee proceeded to open, operate and sell alcoholic beverages despite the fact that the check with which it paid for its license failed to clear; and

WHEREAS, the City wishes to require alcoholic beverage licenses to be paid for by certified or cashier’s check in order to assure prompt payment and prompt identification of those who have failed to pay for their alcoholic beverage license.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS as follows:

Section 1.

That Chapter 10, Article I, Section 10-1, the current paragraph and definition for the term “Nightclub” which currently states:

Nightclub means an establishment having a seating capacity of at least 100 persons with all booths and tables being unobstructed and open to view and providing a band or other professional entertainment a minimum of 20 days per month, each and every month, with the exception of holidays, vacations and periods of redecorating. The principal business of a nightclub shall be entertaining, and the serving of distilled spirits shall be incidental thereto.

Be amended to delete the current language and to insert in lieu thereof the following language:

Nightclub means an establishment having a capacity of at least 100 persons as per the City of Atlanta Fire Code, with all booths and tables unobstructed and open to view, dispensing liquor and in which music, dancing or entertainment is conducted. All such establishments shall be equipped with air condition. The principal business of a nightclub shall be entertaining, and the serving of distilled spirits shall be incidental thereto.

Section 3.

That Chapter 10, Article I, Section 10-1 be amended to add a new paragraph and definition for the term “Bar” which shall read:

Bar means an establishment having a minimum capacity of 25 persons, and a maximum capacity of 100 persons per the City of Atlanta Fire Code that does not meet the definition of a restaurant, nightclub, lounge, farm winery, hotel, brewpub, open air café or sidewalk café, that is primarily devoted to selling and dispensing alcoholic beverages by the drink for on-premises consumption. The Bar must make food available to its patrons.

Section 4.

That Chapter 10, Article II, Division 2, Section 10-46 be amended to delete the current language and to insert in lieu thereof the following language:

No alcoholic beverages shall be manufactured, imported, brokered, sold to wholesalers or other importers or brokers, sold at wholesale or retail in the original package or by the drink nor shall any bottle house or tasting room be operated except under a license granted by the mayor as provided in this division. No licensee shall be authorized to operate a business until the license required in this section has been paid for **by certified check or cashier’s check**, and delivered to the licensee by the proper city official. Where there is a pending application for a new licensee or a change of ownership

on a prior existing licensed premises, the authority of the prior licensee to operate the business shall be extended for a maximum period of 30 days beyond the termination date of the prior license.

Section 5:

That Chapter 10, Article II, Division 2, Section 10-61 be amended to delete the current language and to insert in lieu thereof the following language:

Section 10-61. Date for payment of license fees; prorated fees.

All annual license fees under this division shall be paid in advance **by certified check or cashier's check** on or before January 1 of each year. Any person granted a new license under this division during a calendar year shall pay the full license fee without proration, except that the fee for a new license granted after June 30 in any calendar year shall be 50 percent of the annual license fees for the remainder of that calendar year.

Section 6.

That Chapter 10, Article II, Division 2, Section 10-67(a) be amended to delete the current language and to insert in lieu thereof the following language:

(a) All licenses required under this division must be obtained and fees paid **by certified check or cashier's check** not later than 30 days from the date of the approval of the application by the mayor, and if not so obtained, the license granted by the mayor shall be void.

Section 7.

That Chapter 10, Article II, Division 2, Section 10-48 be amended to delete the current language and to insert in lieu thereof the following language:

Sec. 10-48. Application.

(a) All persons desiring to obtain a license required under this division shall make written application to the Licenses and Permits Unit of the Atlanta Police Department for that privilege upon forms approved by the License Review Board. The application shall consist of two sections. Section 1 of the application will be used by the Licenses and Permits Unit, the License Review Board and the relevant Neighborhood Planning Unit (NPU). Section 2 of the license application will be used only by the Licenses and Permits Unit and the License Review Board for confidential investigation. The applicant shall complete the application and file it with the Licenses and Permits Unit along with all required supporting

documentation and a non-refundable three hundred dollar (\$300) filing fee payable by money order or certified check.

- (b) The application shall be sworn to by the applicant or agent thereof and shall state the following:
- (1) The name and address of the applicant;
 - (2) If a corporation, the names of the officers
 - (3) If a partnership, the names of the partners;
 - (4) The place where the proposed business is to be located and information regarding the distance of the location from the indicated establishments;
 - (5) The nature and character of the business to be carried on;
 - (6) The hours of operation of the proposed licensed business;
 - (7) The name of the Agent/Licensee;
 - (8) The name of the manager of the business;
 - (9) The identity of the owner of the property where the business is located;
 - (10) The plan for traffic flow, control and access in case of fire or other catastrophe;
 - (11) Ingress and egress to the property and proposed structure or uses thereon with particular preference to automotive and pedestrian safety and convenience;
 - (12) Parking and loading areas where required, with particular attention to the items in subsections (10) and (11) immediately preceding this subsection;
 - (13) Refuse and service areas and plans for maintenance thereof;
 - (14) The plan for appropriate buffering or screening to alleviate such potentially adverse effects as may be created by noise, glare, odor, lighting, signs or traffic congestion;
 - (15) Security plans and plans for training of employees;
 - (16) The nature of any entertainment to be provided on premises;
 - (17) Provisions for parking; and

- (18) Such other information as may be required by the Atlanta Police Department Licenses and Permits Unit or the License Review Board.
- (c) All applicants shall furnish all data, information and records requested of them in writing by the License Review Board or the Department of Police, and failure to furnish this data, information and records within 30 days from the date of the request shall automatically dismiss, with prejudice, the application. Applicants, by filing an application, agree to produce for oral interrogation any person requested by the License Review Board, the Department of Police or the City Attorney and considered as being important in the ascertainment of the facts relative to the license. The failure to produce the person within 30 days after being requested to do so shall result in the automatic dismissal of the application.
- (d) Upon receipt of an application, the Licenses and Permits Unit shall make a copy of Section 1 of the application and provide the copy and a blank NPU Report Form to the applicant. Within five (5) business days, the applicant shall take the copy of Section 1 of the application and the blank NPU Report Form to the commissioner of the Department of Planning, Development and Neighborhood Conservation (DPDNC), or his designee for assignment to the appropriate NPU.
- (e) The DPDNC shall provide the applicant with a "Notice to Appear" before the NPU in which the proposed licensed establishment is located. The DPDNC shall determine the date of the next regularly scheduled meeting at which it is possible for the applicant to appear, shall schedule the appearance on that date and shall include that information and the contact telephone numbers for the representatives designated by the NPU to handle liquor license applications on the Notice to Appear.
- (1) The applicant shall be afforded the opportunity to appear before the NPU within 45 days from the date the applicant receives the Notice to Appear from the DPDNC. The date of the Notice to Appear shall not be included in the 45-day calculation. A copy of the notice to appear shall be forwarded by DPDNC to the NPU designee along with a copy of Section 1 of the application and a blank NPU Report Form. The applicant and the NPU may mutually agree to hold the hearing outside the above-described 45-day time period. Should the NPU fail to hold the hearing for the applicant within the above-described 45-day time period or on the date mutually agreed to by the applicant and the NPU, the form upon which the NPU provides its recommendation and comments shall indicate "no recommendation" by the NPU and shall immediately be executed and forwarded by the NPU to the DPDNC as set forth in section 10-48(f)(5) upon the expiration of the above-described 45-day time period or the date for the applicant's hearing mutually agreed to by the applicant and NPU.

- (f) All applicants for licenses to sell alcohol shall abide by the following regulations pertaining to appearances before the appropriate NPU:
- (1) The applicant shall appear before the appropriate NPU on the scheduled date set forth in the Notice to Appear. At such meeting, the applicant shall be prepared to respond, to the best of his ability, to any questions regarding Section 1 of the application. The applicant shall provide, to the best of his ability, any additional relevant information about the proposed licensed establishment, which the NPU members want to know.
 - (2) If the applicant fails to appear at the NPU meeting on the scheduled set forth in the Notice to Appear, the applicant shall be required to request from the DPDNC a new date on which the applicant shall appear before the NPU and a new Notice to Appear. The NPU shall submit its original NPU Report Form to DPDNC indicating that the applicant failed to appear by checking that box on the form. Once the DPDNC schedules a new date for the applicant to appear, the DPDNC shall send to the NPU designee a new Notice to Appear and a new NPU Report Form.
 - (3) After the applicant appears before the NPU, the NPU shall provide its recommendation to the DPDNC in writing on the form to be provided by the DPDNC. The form shall contain the following information:
 - a. The name and address of the proposed licensed business;
 - b. The name and address of the owner of the proposed licensed business;
 - c. The name of the Agent/Licensee of the proposed licensed business;
 - d. The date the applicant appeared before the NPU;
 - e. The comments of the NPU as set forth in section 10-48(f)(4); and
 - f. Whether the NPU:
 1. Recommends that the license be approved;
 2. Recommends that the license be denied; or
 3. Provides no recommendation.
 - (4) In making its recommendation, the NPU shall consider and provide comments regarding any information contained in Section 1 of the application and any additional information the applicant provides at the NPU meeting. The NPU shall specifically note any information not found

within the application but provided at the meeting and relied upon by the NPU in making its recommendation.

- (5) The form upon which the NPU provides its recommendation and comments shall be signed by the chairperson of the NPU, or his designee. The NPU shall have five (5) days from the date on which the applicant appears before the NPU to submit the written, signed recommendation form to DPDNC and to provide a copy to the applicant. The date of the NPU meeting shall not be included in the 5-day calculation. The form upon which the NPU provides its recommendation and comments shall be signed by the commissioner of the DPDNC, or his designee within three (3) days after its receipt from the NPU. Such signatures shall confirm the accuracy of the NPU recommendation. The original signed form shall be sent by the commissioner of the DPDNC or his designee to the Atlanta Police Department's Licenses and Permits Unit and a copy thereof shall be maintained in the DPDNC.
- (6) The License Review Board shall not hear any application for a license to sell alcohol if the signed form verifying the applicant's attendance before the NPU, or indicating that the NPU has no recommendation as to the applicant, has not been submitted to the Licenses and Permits Unit.
- (7) Any application for a license to sell alcohol that receives a recommendation from the NPU that the license be denied shall be listed on the License Review Board agenda for the date of the hearing on that application as, "PRESENTED WITH NPU RECOMMENDATION FOR DENIAL."
- (8) The commander of the Licenses and Permits Unit, or his designee, shall notify the commissioner of the DPDNC, or his designee, of the date, time and place of the License Review Board hearing scheduled for each application. Within three days after the commissioner of the DPDNC, or his designee, receives such information, he shall notify the appropriate city councilmembers (district and at-large) and the designated representative of the NPU of the date, time, and place of the hearing before the License Review Board. Such notification shall also include the name of the applicant and the address of the proposed business.
- (g) Within 48 hours of the receipt of each new application for a liquor license, the Licenses and Permits Unit of the police department shall forward a copy of Section 1 of the application to the councilmember who represents the district within which the applicant proposes to sell alcohol and to all at-large councilmembers.
- (h) In addition to the above requirements, an applicant for a new or renewal license to sell alcoholic beverages as a private club, as defined in section 10-1, shall submit

the names, addresses, and telephone numbers of each of its officers and directors of the private club, and of any other person(s) who will manage, operate, direct, supervise or otherwise have any control over the day to day operations of the private club, including the sale of alcoholic beverages. Such information shall be submitted to the Licenses and Permits Unit on a quarterly basis by the first day of each of the following months: January, April, July, and October. Furthermore, the applicant must submit the minutes of any meeting held during the prior 12 months at which time the salary of any member, director, officer, agent, or employee of the corporation has been set. The private club must also provide proof of its tax exempt status under section 501(c) of the Internal Revenue Code. The failure of the applicant to submit the information set forth herein shall be grounds for denial, suspension, revocation of the license and/or the implementation of a fine of up to \$1,000.00.

- (i) A person desiring to obtain a license to sell alcoholic beverages in a leased location within a licensed premises, shall, in addition to the application required hereinabove, provide additional sworn application forms and the required application fees for each proposed leased location. The prospective lessees shall in all other respects comply with this code section. In the event a licensee shall seek to change, substitute or add a leased location within the licensed premises, then before alcohol sales can continue or commence, the individuals in control of the proposed leased locations must comply with the provisions of this code section. No applicant or licensee may allow sales of alcoholic beverages at a leased location within a licensed premise without compliance with this section and all other applicable provisions of this chapter.

Section 8.

The terms and conditions of this ordinance shall apply to all licenses, whether new or renewal, applied for after the enactment of this Ordinance.

Section 9.

That the Application for License to Sell Alcoholic Beverages attached hereto as Exhibit "A" be presented to the License Review Board for approval.

Section 10.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

EXHIBIT “A”

SECTION 1

FOR THE YEAR _____ DATE ____/____/____

All applications must be typed or printed in black ink. Each question must be completely and correctly answered. If the space provided is not sufficient, attach additional sheets. Applications must be signed, dated, notarized and filed in the License and Permits Unit, 675 Ponce de Leon Avenue, SE Atlanta, GA. All required supporting documents must be attached. The three hundred dollar (\$300) filing fee is payable by money order or certified check. The fee is non-refundable and is not applied to the license fee. A copy of the Alcohol Code can be obtained at City Hall or on the web at www.AtlantaGa.gov.

LIQUOR

- () RETAIL PACKAGE
() CONSUMED ON PREMISES
() IMPORTER
() MANUFACTURER
() WHOLESALER
() NIGHT CLUB
() RESTAURANT
() BAR
() LOUNGE
() PRIVATE CLUB
() BOTTLE HOUSE
() HOTEL
() CONVENTION CENTER
() SPORTS COLLISEUM
() OTHER _____

BEER

- () RETAIL PACKAGE
() CONSUMED ON PREMISES
() IMPORTER
() MANUFACTURER
() WHOLESALER
() NIGHTCLUB
() RESTAURANT
() BAR
() LOUNGE
() PRIVATE CLUB
() BOTTLE HOUSE
() HOTEL
() CONVENTION CENTER
() SPORTS COLLISEUM
() BREWERY
() FOOD STORE
() OTHER _____

WINE

- () RETAIL PACKAGE
() CONSUMED ON PREMISES
() IMPORTER
() MANUFACTURER
() WHOLESALER
() NIGHTCLUB
() RESTAURANT
() BAR
() LOUNGE
() PRIVATE CLUB
() BOTTLE HOUSE
() HOTEL
() CONVENTION CENTER
() SPORTS COLLISEUM
() FARM WINERY
() FOOD STORE
() OTHER _____

If a Private Club: (1) Submit the salaries and other benefits received by each officer, trustee and employee; (2) Attach copy of 501(c) Internal Revenue Code tax exempt documentation; and (3) Attach membership application.

ACTIVITIES PROPOSED FOR PREMISES

- () CUSTOMER DANCING
() LIVE ENTERTAINMENT
() ADULT ENTERTAINMENT

1. Is applicant: () Sole Proprietorship () Partnership () Corporation () LLC
2. A. Legal Name of Business: _____
B. Operating/Trade Name of Business: _____
C. Has location had alcohol license within last 12 months? () Yes () No
3. Location of Business: _____ Council District: _____ NPU: _____
Please provide a site plan and photograph of the existing location, if available.
4. Proposed Location Zoned: _____
5. A. Distance from closest private residence: _____
B. Distance from closest private residence on same street: _____
C. Distance from closest college campus or school ground: _____
D. Distance from closest branch of any Atlanta Public library: _____
E. Distance from closest church or place of worship: _____
F. Distance from closest park or recreational area: _____
G. Distance from any public housing owned or operated by any Government agency/authority: _____
H. Distance from closest retail package store: _____
I. Is premises for license located in a shopping center? () Yes () No
If yes, does shopping center contain 80,000 square feet or more? () Yes () No

NOTE: YOU MUST MEET ALL DISTANCE REQUIREMENTS PURSUAN TO ATLANTA CITY CODE INCLUDING §10-88 & §10-88.1. Due to frequent changes in ordinances relative to distance requirements, a certified survey, which states the method of measurement, is required of all applications where no license has been issued within the past twenty-four months. A copy of the certified survey must be attached to this application. Distance shall be measured by the nearest route of pedestrian travel in all directions from the front door enclosing the proposed premises where alcoholic beverages are to be sold to the nearest property line of any library, hospital, school, church, park or to the nearest point of any residential building.

TENTATIVE LRB DATE: _____
STATUS: _____
DATE RECEIVED: _____

PREVIOUS BUSINESS NAME: _____
IN-TAKE INVESTIGATOR: _____

6. Full name of applicant (Company/Corporation) _____

7. Full name of Agent/ Licensee: _____

Home Address: _____

City _____ State _____ Zip Code _____

Telephone Number: Home: _____ Business: _____

Hours said Agent/ Licensee will actively be on the premise: _____

List duties of Agent/ Licensee: _____

8. Agent's/ Licensee's Business interest(s), occupation(s) and/or employment for the past ten (10) years

COMPANY	ADDRESS (CITY & STATE)	POSITION	DATES

9. Full name of manager: _____

Home Address: _____

Telephone number: Home: _____ Business: _____

Hours said manager will be on the premise: _____

What is the manager's business experience? _____

Has the manager worked in this or a similar capacity? () Yes () No

If yes, explain: _____

10. Does Agent/ Licensee or any member of the Partnership, Corporation or Stockholder currently hold an alcohol license (including a server permit) ? () Yes () No

If Yes, where and what type of license? _____

11. Has Agent/ Licensee or any member of the Partnership or Corporation or Stockholder ever applied for an alcoholic beverage license (or server's permit) and been () denied () suspended () revoked?

If yes, please check the appropriate status and explain.

12. Does Agent/ Licensee, or any Partner(s), Corporation Officer, Principle Shareholder(s), Trustee(s) or Spouse have, within the preceding ten (10) years, any conviction for the violation of any Federal, State or Local laws, Ordinances or Regulations, or does said person have current proceeding pending for violation of any Federal, State or Local laws, ordinances or regulations?

For the purpose of this question, the term "conviction" shall include an adjudication of guilt, a plea of guilty, a plea of nolo contendere, the forfeiture of a bond or adjudication by pre-trial intervention.

PERSON CHARGED	DATE	OFFENSE	LOCATION	DISPOSITION

LICENSED PREMISES

13. Do you own the property where the business is located? () Yes () No
14. If property rented/leased, owner's name and address: _____

15. Has a license at this location been () denied, () suspended or () revoked within the last 24 months?
If yes, check the appropriate status and explain:

16. Is business located in a hotel or motel? () Yes () No
If yes, name of Hotel or Motel _____

If the business is to be operated as a department inside premises where another business is operating, give details of the existing business.

17. What will be your business/operating hours? _____
18. Where will your trash receptacle be located? _____
What arrangements have you made for trash removal? _____
How often will you clean your property? _____
19. What is your plan for complying with Code Section 10-215 of the Alcohol Code regarding sanitation, unlawful conduct and fire prevention on the premises?

20. What type of security do you plan to have? _____

Do you offer your employees training with respect to items covered by the alcohol code? () Yes () No
If yes, what type of training and how do you plan to prevent the selling to and consumption by underage consumers of alcohol and tobacco products on your premises? _____

21. What type of buffering do you have/ will you provide to alleviate the effects of noise, lighting, odors, traffic or other nuisances on surrounding properties? Do you have any plans to prevent un-permitted vending on your property?

22. Describe the traffic and pedestrian ingress and egress to/from the property and to/from any existing or proposed structure on the property.

23. If your parking lot is over 30 spaces, do you meet the "Parking lot requirements" for trees found in the Atlanta City Code of Ordinances, Chapter 158, Article II, Division 1, Section 158-30? () Yes () No
24. Does your business comply with all applicable requirement of the Sign Ordinance found in the Atlanta City Code of Ordinance, Part III Land Development Code, Part 16, Zoning Chapter 28A () Yes () No

ON PREMISES CONSUMPTION LICENSE

If you are applying for an on-premises alcoholic beverage consumption license, please complete questions 25-27. If not, please skip ahead to question 28.

25. Seating Capacity: () Restaurant _____ () Bar _____
 () Bottle House _____ () Brewery _____
 () Brewpub _____ () Farm Winery _____
 () Lounge _____ () Nightclub _____
 () Private _____ () Other _____

Describe Kitchen Facilities: _____

List number of Employees: ____ Cooks ____ Waiters/Waitresses ____ Other employees ____ alcohol servers

A copy of your menu must be included with this application.

Is business air conditioned? () Yes () No

26. Will you have live entertainment? () Yes () No
Other entertainment? _____

What percentage of revenues do you expect to come from food sales? _____ from alcohol? _____

27. What is the total square footage of the licensed premises? _____

How many parking spaces are you required to have? _____

Does the location have on-site parking? () Yes () No How many spaces? _____

If no or if parking is insufficient, what arrangements have you made for parking? _____

Attach copies of any relevant leases and a map showing location in relation to licensed establishment .

PACKAGE LICENSE

If you are applying for a package store license, please complete questions 28-31. If not please skip ahead to question 32.

28. Do you propose to operate this store solely as a package store? () Yes () No

29. Give the amount of the gross sales of the retail liquor store at the licensed location for the previous twelve (12) months and state the dates used in computing the gross:

DATES (FROM-TO)	GROSS SHARES

30. Does the Agent/ Licensee, Spouse, or any other owner(s), partner(s) or stockholders have an interest in other liquor stores?
() Yes () No

NAME	NAME & LOCATION OF BUSINESS	POSITION	% INTEREST

31. Do you or your spouse or any partner or stockholder have any financial interest in any wholesale liquor business?
() Yes () No If yes, give details:

SECTION 2

BACKGROUND, FINANCIAL INFORMATION ON APPLICANT, MANAGER AND OWNERS

32. Applicant's full name (Company/Corporation) _____

If a Corporation, Date of Incorporation: _____ Taxpayer Id # _____

Name of Registered Agent: _____

33. If a Corporation, indicate the following for all Officers, members of the Board of Directors, Trustees and principal stockholders.
If a Partnership, include all partners. (Complete all information requested for each person).

NAME	ADDRESS	DOB	SSN	POSITION	% INTEREST

If operating as a partnership, submit copy of all partnership agreements. If corporation, attach a copy of all Articles of Incorporation, By-laws and amendments thereto, minutes of any corporation meetings within the last twelve (12) months.

34. Do you own the property where the business is located? () Yes () No

If yes:

Date of Purchase _____ Purchase Price _____ Seller's Name _____

35. If property rented/leased, owner's name and address: _____

Amount of rent/lease: Monthly _____ Annually _____ Other (specify) _____
(Submit copy of lease agreement, deed, sublease, etc.)

36. State the amount and source of funds that have or will be invested by each individual who has an interest in the business. If a Corporation or Partnership, list each individual separately.

NAME	AMOUNT INVESTED	SOURCE OF FUNDS

37. Liquor license Agent/Licensee's full name: _____

Social Security Number: _____

Date and Place of Birth: _____

Citizen of the USA? () Yes () No Alien #: _____

Resident of Georgia? () Yes () No Years _____ County _____

Full name of Spouse, including Maiden Name _____

Spouse's Social Security Number/Date of Birth _____

38. Bank accounts and assets in the name of agent/licensee and/or maintained by the agent/licensee, whether individual, partnership or corporation. (Provide copies of account statements)

TYPE	BANK	CITY & STATE	ACCOUNT NUMBER	AMOUNT

39. Has Agent/Licensee, Spouse or any person having an interest in the business received, directly or indirectly, any financial aid or assistance, to include land, fixtures, equipment, etc., from any manufacturer or wholesaler of alcoholic beverages?
() Yes () No If yes, please specify.

NAME	ADDRESS	AMOUNT/ITEM	DATE

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40. List any other individual(s) or firm(s) owning any interest in or receiving any funds from the operation of the business or on the premises. This includes cigarette machines, game machines, billiard tables, vendors, etc.

41. List any financial interest or ownership which Agent/ Licensee or any member of the partnership or corporation or stockholder presently has in any alcoholic beverage license in the state of Georgia.

NAME	NAME AND ADDRESS OF PREMISES	POSITION	% OF INTEREST

42. List all assets which will be used or converted for use as an investment in the Business and/or all sources of funding used to capitalize and/or operate the Business.

43. Full name of manager: _____

Social Security Number: _____

Date and Place of Birth: _____

Full Name of Spouse (Including Maiden) _____

Date and Place of Birth: _____

RETAIL PACKAGE LICENSE

If you are applying for a package store license, please complete questions 44-46. If not, please skip ahead to Page 7.

44. Are you (the applicant) or any member of your family, the owner, lessor or sub-lessor of any real estate which is occupied by a retail liquor store? () Yes () No
If yes, list locations, information as to any lease or rental agreement, amount of rent received, and to whom

LOCATION	LEASE/RENTAL AGREEMENT INFORMATION	AMOUNT OF RENT	LESSOR

45. Are you or any member of your family the Executor, Administrator, Beneficiary or Heir of any estate having any interest in a retail liquor store? () Yes () No
If yes, list location(s), amount of interest and your relationship with the estate:

LOCATION(S)	% INTEREST	YOUR RELATIONSHIP TO ESTATE

46. Are you or any member of your family the beneficiary or trustee of any trust fund having any interest in a Retail Store?
() Yes () No
If yes, give your position, the name of the trust and the amount of income you receive

POSITION	NAME OF TRUST	INCOME RECEIVED

CERTIFICATION

ARE YOU FAMILIAR WITH THE CITY OF ATLANTA ORDINANCES, STATE LAWS AND REGULATIONS GOVERNING THE OPERATION OF ESTABLISHMENTS THAT SERVE AND/OR SELL ALCOHOLIC BEVERAGES?

() YES () NO

DO YOU AGREE TO ABIDE BY SUCH ORDINANCES, LAWS AND REGULATIONS?

() YES () NO

IT IS THE RESPONSIBILITY OF THE AGENT/LICENSEE TO ENSURE THAT ALL LICENSES TO SELL ALCOHOLIC BEVERAGES ARE RENEWED NO LATER THAN JANUARY 1st OF EACH YEAR.

I, _____, BEING DULY SWORN ACCORDING TO LAW, DO SWEAR THAT THE FACTS AND DETAILS STATED BY ME IN THE FOREGOING ANSWERS TO QUESTIONS ARE TRUE AND COMPLETE, AND NO FALSE OR FRAUDULENT STATEMENT IS MADE HEREIN – THAT SUCH ANSWERS WERE MADE IN ORDER TO PROCURE THE GRANTING OF SUCH LICENSE.

SIGNATURE OF AGENT/LICENSEE

DATE

SWORN TO AND SUBSCRIBED
BEFORE ME THIS _____
Day of _____, 20 _____

NOTARY PUBLIC

SIGNATURE AND TITLE OF PERSON OTHER THAN
AGENT FILLING OUT THIS APPLICATION

TELEPHONE NUMBER

CONSENT FORM

I hereby authorize the Atlanta Police Department's License and Permits Unit to receive any criminal history record information pertaining to me, which may be in the files of any state or local criminal justice agency in Georgia or in the files of the Federal Bureau of Investigation.

Full Name (Please Print)

Address

City

State

Zip Code

Race

Sex

DOB

Social Security Number

Signature

SWORN TO AND SUBSCRIBED
BEFORE ME THIS _____
Day of _____, 20 ____

NOTARY PUBLIC

PROPERTY OWNER'S NOTIFICATION

Pursuant to City of Atlanta Code of Ordinances Section 10-109 (h):

"Property owners of licensed premises will be responsible to a reasonable extent for unlawful activity which occurs on their premises on a regular basis such that the property owner knows or should have known that such unlawful activity was taking place on the licensed premises. If it appears that such activity was encouraged or if it appears that the property owner could have prevented such activity, in addition to be authorized to deny, revoke and refuse to renew the license, the Mayor shall be authorizing to deny the issuance of any license under this division at that location for a period up to two years from the occurrence of such unlawful activity, and such property shall also lose its permitted and nonconforming uses for the same period."

I, _____, owner of the property located at
_____, have read and am familiar with the above cited
code section.

Signature of Property Owner

Date

PACKAGE STORES LESS THAN 5% OF BEER/WINE SALES

Date of Initial Alcohol License: _____

I, _____, have read the Atlanta City Ordinance, Section 10-88.1(B) on beer and/or wine package sales by a convenience store. I understand that less than 5% of my gross receipts from my business will be derived from the sale of alcoholic beverages. Beer and wine package sales of 5% or more may possibly result in the loss of my license to sell alcohol.

Signature of Agent

SWORN TO AND SUBSCRIBED
BEFORE ME THIS _____
Day of _____, 20 ____

NOTARY PUBLIC



**CITY OF ATLANTA
ATLANTA POLICE DEPARTMENT
LICENSE & PERMITS UNIT**

LICENSE REVIEW BOARD AGENDA NOTIFICATION

Names of Business: _____

Address: _____

Licensee/Agent: _____

I, _____, agent/licensee for the above referenced location, understand that it is my sole responsibility to ensure that all documents/inspections (Building, Health, Fire, Advertisements) are completed and submitted to the License & Permits Unit one week prior to my scheduled License Review Board date.

I further understand that if these documents are not received by the License & Permits Unit by the due date, my applications will not be placed on the next scheduled License Review Board agenda.

Signature _____ Date _____

Investigator _____ Date _____

REFERENCE: Atlanta City Code Chapter 10, Article II, Division 2, Section 10-66(b)

**NEIGHBORHOOD PLANNING UNIT (NPU) _____ REPORT
TO LICENSE REVIEW BOARD**

It is the responsibility of the applicant to present Section 1 of his/her application for a license to sell alcoholic beverages before the appropriate NPU. (Subject to the NPU Conditions/Terms). The applicant must first come to the Bureau of Planning, 55 Trinity Ave, Suite 3350 to file a copy of Section 1 of the application and to obtain a "Notice to Appear" indicating a date for the applicant's appearance at the NPU. Failure by the applicant to attend the NPU meeting on the assigned date will result in the non-acceptance of the application by the License & Permit Unit.

Application Date: _____

Name of Applicant

Type of Business

Name of Business

Address of Business City, State, Zip

Address of Applicant City, State, Zip

Circle:

New Business

Change of Ownership

Change of Agent

Change of Licensee

Other

Applicant Telephone Number(Busines/Office)

Applicant Telephone Number (Other)

TO: Chief of Police

Attention – License & Permit Unit

This is to advise that _____ appeared before our NPU meeting on the above meeting date to obtain a license at the above listed location.

☐ Applicant Did Not Appear

NPU Recommendation: Approved ☐

Denied ☐

No Recommendation ☐

COMMENTS:

Date

NPU Chairperson or Designated Representative

Date

Commissioner, DPDNC or Designee

FOR LICENSE & PERMITS USE ONLY

License Review Board Hearing _____

DPDNC notified: Yes ☐ No ☐

Notice by: _____

Date _____